

REMARKS

The Examiner has issued an Official Action requiring restriction between two groups of inventions. The groups identified by the Examiner are:

Group I: Claims 1-15 and 18-20 drawn to a method of purifying a non-ionic solvent and

Group II: Claims 16-17 and 21-30 drawn to a composition.

Applicants respectfully traverse this requirement.

Restriction is proper only if the inventions of the restricted groups are either independent or patentably distinct, and there is a burden in searching the entire application. Applicants respectfully traverse the restriction requirement on the grounds that the Office has not provided an adequate reason or example to support a conclusion of patentable distinctness, or shown that a burden exists in searching the entire application.

In addition, applicants respectfully traverse the restriction requirement on the ground that the Office has not sustained the burden of providing an adequate reason why the respective inventions are unrelated. The Examiner states on page 2 of the Official Action that "in the instant case, the product claimed as claimed can be made by another and materially different process." Claim 16 as originally filed includes the phrase "combining the purified non-ionic solvent prepared according to the process of claim 1". Similar language is used in claims 21 and 25 to 30. Therefore, the Examiner's stated reason for requiring restriction is not correct and it is respectfully requested that the restriction requirement be withdrawn.

For these reasons, no species election is being made at this time. All rights to make a species election are preserved without prejudice.

It is noted that in claim 16 the pharmaceutical agent is paclitaxel and in claim 21 the solvent is polyethoxylated castor oil.

It is submitted that the application is in condition for allowance and favorable consideration is respectfully requested.

Respectfully submitted

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